

5/2/2018

City of Los Angeles Mail - Districts on the Move: Butte County Tourism Improvement District Formation



Holly Wolcott <holly.wolcott@lacity.org>

Districts on the Move: Butte County Tourism Improvement District Formation

1 message

Civitas Advisors <marketing@civitasadvisors.com>

Reply-To: us10-e8d3e1b4fc-e2f1c52b7e@conversation01.mailchimpapp.com

To: Holly <holly.wolcott@lacity.org>

Tue, Dec 22, 2015 at 8:55 AM



Districts on the Move

December 2015



Butte County Tourism Business Improvement District Formation

Butte County, CA - November 10, 2015

Civitas has been working with Butte County hoteliers and the Butte County Administration to form the Butte County Tourism Business Improvement District. Beginning December 1, 2015, the new

https://mail.google.com/mail/u/0/?ui=2&ik=f424a56a32&jsver=VWMnsm10n_o.en.&cbl=gmail_fe_180424.06_p4&view=pt&q=civitasadvisors&qs=true&search=que

Butte County TBID began collecting a 2% assessment on all lodging businesses within Butte County, Chico, Oroville, Paradise, and Biggs.

The TBID will provide funding for services with an annual assessment on lodging businesses, which will generate an estimated \$554,000 annually. Funds generated by the TBID will be used for sales and marketing activities, including zone micro-marketing. Zone micro-marketing dedicates funds, for each of the incorporated areas of Chico, Oroville, Paradise, and Biggs, to specific activities that promote, support, and enhance local tourism marketing efforts.

The passing of the TBID is in step with the Butte County Tourism Strategy and Implementation Plan developed in the Fall of 2013. The plan has provided a roadmap that will leverage TBID funds and marketing activities to drive leads and conversions for hospitality members.

Congratulations to all of the Butte County hotel and lodging partners and the Butte County Administration staff whose hard work and dedication to the TBID made it successful.

Is your locale ready to get on the move? If so, contact us here!

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Districts on the Move - November 2015

1 message

John Lambeth <jlambeth@civitasadvisors.com>

Tue, Nov 17, 2015 at 9:00 AM

Reply-To: us10-e8d3e1b4fc-8540d9f91b@conversation01.mailchimpapp.com

To: Holly <holly.wolcott@lacity.org>

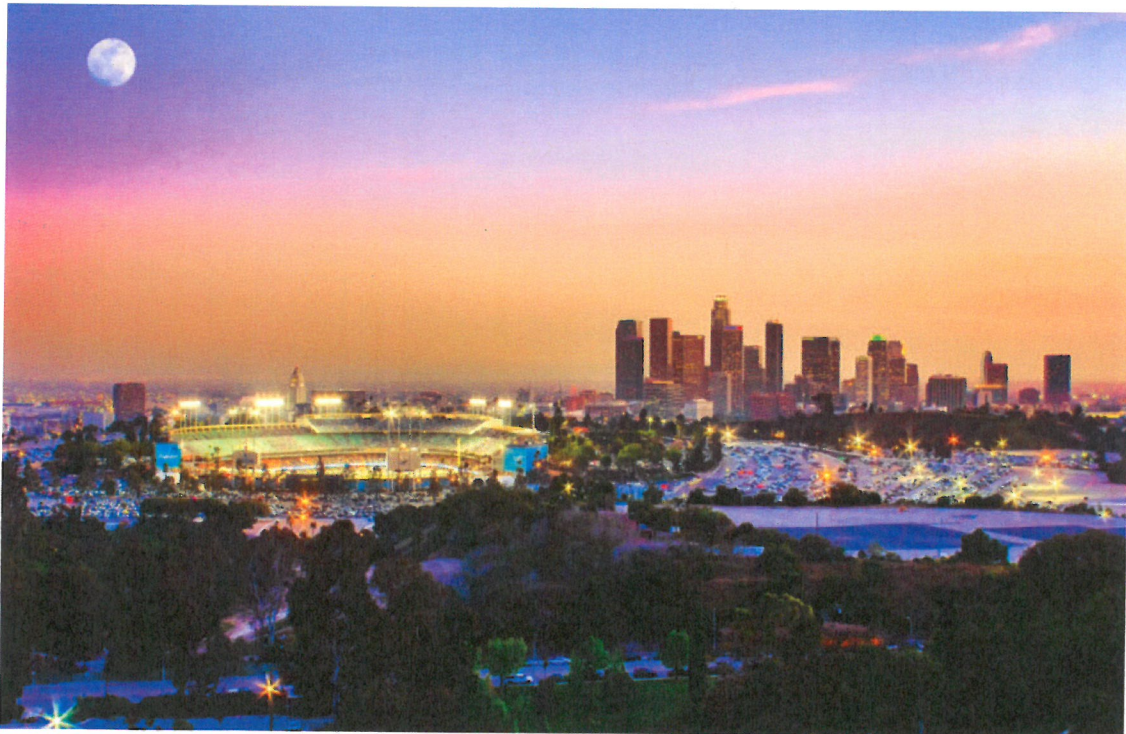
**Districts on the Move****November 2015****Truckee Tourism Business Improvement District Formation****Truckee, CA - October 1, 2015**

Success! Civitas has been working with the Truckee Donner Chamber of Commerce and the Town of Truckee to form the Truckee Tourism Business Improvement District. Beginning October 1, 2016, the new Truckee TBID will begin collecting a 2% assessment on all lodging businesses, and vacation home rentals in the Town of Truckee.

The TBID will provide funding for services with an annual assessment to lodging business owners, which will generate an estimated \$340,000 in annually. Funds generated by the TBID will be used for marketing, special events, and communication of Truckee's unique tourism opportunities.

The passing of TBID is perfectly timed with the Chamber's Place-Based Marketing Initiative underway since February 2014. The two objectives of this major project, sponsored by a Public/Private Partnership, is the development of a Brand Platform and new web site that will serve all current and prospective residents, business owners and visitors. This initiative will be leveraged with TBID funds and marketing activities to drive leads and conversions for hospitality members.

Congratulations to the staff of the Truckee Donner Chamber of Commerce Lynn Saunders, Melody Rebbeck; hotelier John Borden; and Town of Truckee's Assistant Town Manager Alex Terrazas for your hard work and dedication to the TBID formation!



Los Angeles Tourism Marketing District Renewal

Los Angeles, CA - October 17, 2015

October was a very exciting month for Los Angeles hotels, as they completed a milestone in the renewal of the Los Angeles Tourism Marketing District (LATMD). Having started the process almost a year and a half ago, the LATMD has been renewed for the next 10 years, effective April 2016.

Prior to the formation of the LATMD in 2011, Los Angeles lacked the resources to effectively market and promote the destination to overnight visitors. The hotel community supported the creation of the LATMD to implement marketing and sales plans, and has since become a game-changer for the Los Angeles tourism industry.

The renewed LATMD is estimated to provide over \$20 million per year in funds, with 91% of the funds dedicated to sales and marketing programs.

The LATMD is governed by a twelve member board, comprised of majority hoteliers who represent the different regions of Los Angeles. The LATMD contracts with the Los Angeles Tourism and Convention Board to implement the TMD programs.

Congratulations to the LATMD, the organizations, the City and the hoteliers who helped in the renewal of this Tourism Marketing District.

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Holly Wolcott <holly.wolcott@lacity.org>

Power Inn Alliance Hires New Executive Director

1 message

John Lambeth <jlambeth@civitasadvisors.com>

Reply-To: John Lambeth <jlambeth@civitasadvisors.com>

To: Holly <holly.wolcott@lacity.org>

Mon, Aug 31, 2015 at 11:53 AM



Civitas is pleased to announce the placement of:

Tracey Schaal
Executive Director, Power Inn Alliance



This placement was
completed by:

ABOUT TRACEY

Tracey brings to the Alliance a diverse background that included non-profit executive leadership, extensive economic development experience, and strategic planning and marketing skills. Schaal will lead the Alliance's efforts to connect with and serve its members, craft a strategic vision for the organization,

Civitas Advisors
Sacramento, CA

Chuck Longanecker
Business Development
Systems
Sacramento, CA

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& BDS for more
information



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and serve as the chief spokesperson for the area with local government agencies. She brings a wide network of relationships to the position, which will serve the Alliance well. Schaal recognizes that "the area represented by the Alliance is a tremendous economic engine for the region and there is so much to be celebrated and developed in this area." "I believe that Tracey will provide just the right mix of visionary leadership and grounded experience" says Alliance Chair Sally Freedlander.

ABOUT THE ALLIANCE

The Alliance is a Property and Business Improvement District as well as a Transportation Management Association. The Power Inn PBID, located in the largest industrial area in the city and county of Sacramento, lies in the southeastern quadrant of Sacramento. The Power Inn Alliance is a non-profit organization and serves as the business advocate and the community spokesperson for the entire area.

ABOUT CIVITAS & BUSINESS DEVELOPMENT SYSTEMS HIRING SERVICES

In conjuncture with our partner, Business Development Systems, Civitas offers complete hiring services for all positions. Services can include: position descriptions and job listings, candidate interviews, behavioral and motivation profiles, skill testing, drafting of ninety day plans and agreements, and hiring recommendations. The full service package includes the Civitas guarantee: If the organization is not satisfied with the final candidates that are presented, Civitas will post the position again and re-start the interview process. If a candidate is selected during the final interviews, Civitas will stand behind their recommendation for the first six months of the employment. Please contact Civitas for more information and a complete list of services.



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5/2/2018

City of Los Angeles Mail - Power Inn Alliance Hires New Executive Director



Holly Wolcott <holly.wolcott@lacity.org>

Now Hiring: Executive Director, Power Inn Alliance

2 messages

John Lambeth <jlambeth@civitasadvisors.com>

Reply-To: us10-e8d3e1b4fc-0a87dddebd@conversation01.mailchimpapp.com

To: Holly <holly.wolcott@lacity.org>

Wed, Jun 24, 2015 at 2:17 PM

Now Hiring:

Executive Director

POWER INN ALLIANCE

Sacramento, CA



Click here to
apply. Send your
resume, cover
letter, and tell us
one thing that
makes you an
exceptional
candidate.

The Power Inn Alliance is seeking a dynamic full-time Executive Director to lead our team. As our new Executive Director, you'll enjoy the opportunity to manage the largest property and business improvement district in the region. With over 1,300 members, the Alliance is the de facto chamber of commerce, the business advocate, the transportation management association and the community spokesperson for a 6.2 mile wide region of Sacramento.

The Executive Director will work with our board of directors and staff team to build upon our successful 21-year history of serving and



Visit our website
to stay up to
date on all open
positions.

improving the Power Inn area. The primary duties are to oversee and implement economic development, security, beautification, transportation management, and advocacy efforts for the benefit of our 1,300 members.

This position is a great fit for a creative, natural born leader with a passion for building teams and partnerships. A desire to build strong relationships is a must – interfacing with business and property owners, public agency staff and officials, and other nonprofits is a large part of the position. Strategic planning, creating and implementing an organizational vision, event management, and increasing revenue generation are also key aspects of the position.

A Bachelor's Degree in marketing, communication, business, or similar is required. Experience in nonprofit management or service on a nonprofit board is desired. Knowledge of or experience with property and business improvement districts is extremely helpful, but not required. Compensation depending on experience.

For the full position description, click
here.



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Holly Wolcott <holly.wolcott@lacity.org>
To: Greg Allison <greg.allison@lacity.org>

Wed, Jun 24, 2015 at 2:18 PM

[Should I send to Miranda?](#)

[Quoted text hidden]

--

Holly L. Wolcott

Email: holly.wolcott@lacity.org

Phone: [213-978-1020](tel:213-978-1020)

City Clerk

City of Los Angeles

200 North Spring Street, Rm. 360

Los Angeles, CA 90012





Holly Wolcott <holly.wolcott@lacity.org>

Essential Information for all DMOs! Do not miss the TBID Forum at the California Travel Summit 2015!

1 message

John Lambeth <jlambeth@civitasadvisors.com>

Fri, Jun 5, 2015 at 9:06 AM

Reply-To: John Lambeth <jlambeth@civitasadvisors.com>

To: Holly <holly.wolcott@lacity.org>

[View this email in your browser](#)

Time is Running Out!!

Join us at the 3rd Annual TBID Forum
at the California Travel Summit

Wednesday, June 17, 2015 9am-11:15am



We are looking forward to seeing you at the **3rd Annual TBID Forum!** The last year has been an exciting one for the tourism industry and we have a lot of new information to share with you. This year John Lambeth of Civitas has invited two exciting panelists to join him in facilitating a discussion that will cover a range of topics:

John Lambeth - President and CEO, Civitas

John will provide a **state of the industry address, legislative update, new methods of quantification, and a compliance update.** He will also cover post formation/renewal efforts and tools



available to new and existing districts.



Adam Sacks - Founder and President, Tourism Economics

Adam will provide invaluable information regarding National and California specific TBID trends and share case studies showcasing the economic impact of TBIDs on a national and state level. He will also discuss why destination marketing must be an integral part of any economic development strategy and how to coordinate these distinct functions. As well as speak about perhaps his most important analysis **"The Economic Impact of the Elimination of TBIDs in California."**



Nan Marchand Beauvois - V.P. of National Councils, U.S. Travel Association

Nan will discuss US Travel's recent **National TBID Study** and the initiatives in play that impact DMO's nationwide.

Each participant will leave with a toolkit of materials to utilize post forum.

[CLICK HERE TO REGISTER \(Seats are Limited\)](#)

5/2/2018

City of Los Angeles Mail - Essential Information for all DMOs! Do not miss the TBID Forum at the California Travel Summit 2015!



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Holly Wolcott <holly.wolcott@lacity.org>

Court Issues Favorable Tentative Ruling in Ontario TMD Case

1 message

John Lambeth <jlambeth@civitasadvisors.com>

Reply-To: us10-e8d3e1b4fc-e44ca5c68e@conversation01.mailchimpapp.com

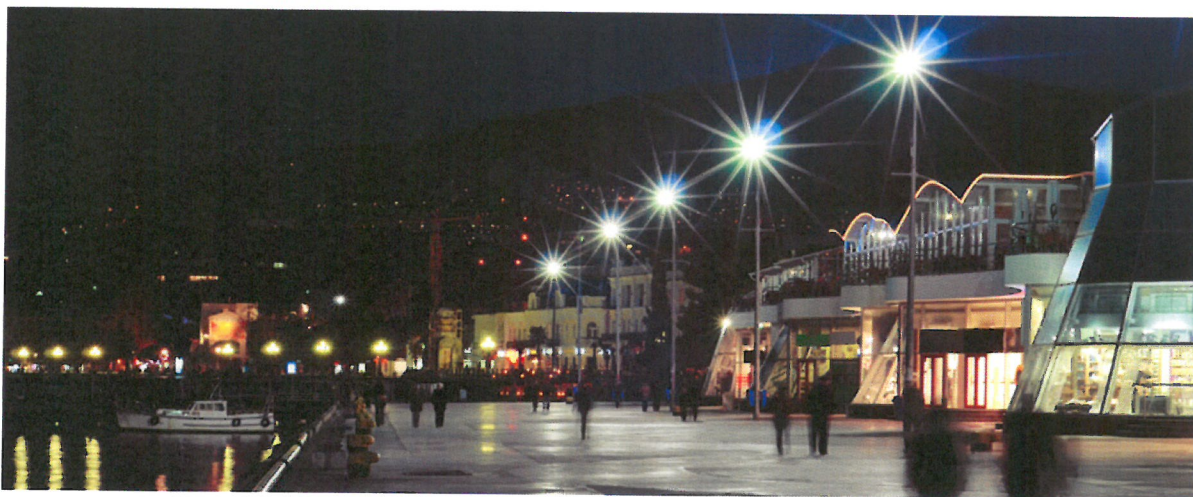
To: Holly <holly.wolcott@lacity.org>

Mon, Apr 20, 2015 at 10:33 AM



News Alert

April 20, 2015



Court Issues Favorable Tentative Ruling in Ontario TMD Case

Riverside, California - April 20, 2015

The California Court of Appeal (Fourth Appellate District, Division Two) issued a tentative ruling in favor of the City and the TMD in the case of the Inland Oversight Committee vs. City of Ontario. It is important to note that the ruling is tentative, the Court invited oral arguments, and the ruling could be subject to change after oral arguments.

The Plaintiff in this case, the Inland Oversight Committee (IOC) challenged formation of the Ontario

Tourism Marketing District (TMD), claiming that the TMD assessment is actually a tax subject to approval of the cities' voters rather than an assessment subject to approval by the hotel payors. If the Plaintiff were to be successful, it could mean that future TMD formation and renewals would need to be approved by a vote of the electorate, rather than the payor hotels.

The Plaintiff's claim revolves around the meaning of a portion of Article XIII C of the California Constitution, Proposition 26. Prop 26 states that every levy by a local government is a tax that must be approved by the voters - unless it qualifies for at least one of seven exceptions. The two exceptions pertinent to TMDs are levies that provide a "specific benefit" or a "specific government service." Unfortunately, neither of these exceptions were clearly defined in Prop 26. To create clarity around these terms, in 2013 a coalition of TMDs, CalTravel, and Civitas joined forces to work with the Legislature to draft and secure adoption of AB483, which further defined the terms "specific benefit" and "specific government service."

The Court considered both Prop 26 and AB483. The tentative ruling states that, "the assessments are not 'taxes' within the meaning of article XIII C" because they provide specific benefits and specific government services and "fall under the first and second exceptions to the definition of 'tax' in article XIII C."

In its reasoning, the Court noted that "The Legislature's findings and declarations in enacting Assembly Bill No. 483 lend further support to our interpretation of article XIII C as excluding District Law assessments on businesses from definition of a 'tax'."

Although it isn't final yet, this well-reasoned positive ruling starts to reduce the threat posed by Prop 26. Big thanks to CalTravel, and all of the bureaus and TMDs around the state who made AB483 possible! Together, our efforts will make a difference and protect TMDs for years to come.

If you would like to learn more please contact us.



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Civitas Connections-January 2014

1 message

Civitas Advisors <jlambeth@civitasadvisors.com>

Reply-To: jlambeth@civitasadvisors.com

To: holly.wolcott@lacity.org

Mon, Jan 27, 2014 at 1:38 PM



Civitas Connections

Avoid a Loss in Funding-Renew Your BID Early

Civitas has been noticing a trend among our clients - many are now opting to begin the district renewal process early, motivated by a desire to ensure that there is no service interruption. Whether your district is property or business based, early renewal would be a smart move for you. Consider what would happen if your renewal isn't done on time - there will be an interruption in funding and the services you are able to provide. Starting your renewal early has many benefits, including two that are key to ensuring there is no disruption in your services.

First, starting the renewal process early gives you extra time to overcome any unexpected bumps in the road. Whether it's a new owner or staff person who needs some extra education, an existing owner who wants to revisit the services to be provided, or delays at the municipal level, there are many things that can drive a renewal off the road. It is imperative to account and plan for these possibilities.

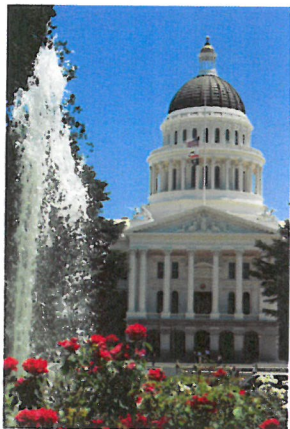
Even if your renewal is complete on time, there can be challenges after the renewal is completed. Business based districts can face difficulties in implementing collections, especially if the assessment rate has changed. Property-based districts must work with the County Assessor and meet their deadlines for appearing on the tax rolls.

Both property and business based districts must consider the possibility of lawsuits being filed against the district. Upon renewal, there is a thirty-day window in which opponents can file a lawsuit to challenge the district. Lawsuits, regardless of whether they have any merit or are ultimately victorious, can seriously delay and impede assessment collection, distribution, and most importantly, services.

Renewing early is the best way to avoid service delays. Be sure you know your expiration date, and start looking at renewal at least 18 months ahead of time.

[Contact us to get more information on the benefits of early renewal!](#)

Legislative Update



AB 483

Tourism & Business Improvement Districts recently scored a victory with the signing of AB 483.

In 2010, voters adopted Proposition 26, adding new provisions to the California Constitution. Prop 26 was designed to restrict the ability of state and local governments to exact funds from taxpayers. Under Prop 26, all state and local government levies are considered a tax unless they fall under one of seven exceptions. Taxes must be approved by a two-thirds vote of the electorate, making them very difficult to enact.

For tourism & business improvement districts, traditionally approved by a vote of the payors (businesses, rather than the electorate) Prop 26 added another consideration to the legal processes they must follow. In order to be approved by a vote of the payors, BIDs now have to comply with at least one of the seven exceptions found in Prop 26.

Top Stories

[National City Hotel Revenue up Six Percent Over 2012](#)

[TBID Money Coming In](#)

[Branding Calistoga](#)

[New Business Improvement District Approved for North Long Beach](#)

[City council OKs Tourism committee, temporary hotel assessment](#)

[Hudson Square to Get \\$2.7 Million Makeover](#)

[South side business owner seeks to develop improvement district](#)

[TBID Impacts Billings Economy](#)

See our [website](#) for the most up to date news and information affecting special districts.

Districts on the Move

Uptown Property and Business Improvement District

Concord Tourism Improvement District

Greater Ontario Tourism Marketing District

Mammoth Lakes Tourism Business Improvement District

Fulton Avenue Property and Business Improvement District

Those exceptions introduced new terms with no legal definition, such as "specific benefit." AB 483 defines these terms in an effort to help local governments comply with Prop 26.

The principal beneficiaries of AB 483 are California's new and renewing tourism marketing and business improvement districts. The bill provides guidance on how those districts can comply with their relevant exceptions. The bill also made it more difficult for opponents to sustain a successful Proposition 26 challenge to TMDs and BIDs, although some risk remains.

SB 184

Every year, the Senate enacts a Local Government Omnibus bill. These bills are designed to clean up non-controversial items in existing legislation. This year, Civitas was able to remove ambiguous language regarding assessment of tax-exempt properties from the Property & Business Improvement District Law of 1994. This modification removes ambiguity when including tax-exempt parcels in PBIDs, and helps make the 1994 Law more consistent with constitutional requirements regarding benefit to assessed properties.

[Contact our office for more information on past and present special district legislation.](#)

Spotlight on: Mammoth Lakes TID



Since 1989, California destinations have been forming tourism improvement districts to fund destination marketing. TIDs have always included and promoted only lodging businesses - until now.

This summer, Civitas formed the first Tourism Improvement District that includes not only hotels, but also restaurants, retail, and attractions in Mammoth Lakes, California. A TID was a perfect fit for this mountain ski community full of local businesses dependent on tourism. The district was created in July of 2013 and began collecting assessments on

September 1, 2013. The district is off to great start with estimated collections of \$4.7M annually. A large scale marketing plan is in the works for next summer which will help define Mammoth Lakes as a tourist destination year around. The campaign will focus on "everything outside our door - climbing, trails to wilderness, skiing, boarding," states John Urdis, Executive Director of Visit Mammoth.

Our clients have often asked us about including non-lodging businesses in their districts. In many communities, this approach has not been possible for many reasons. Sometimes, the sheer number of businesses is unmanageable. For others, tourist revenue is such a small piece of their business that is it difficult, if not impossible, to quantify the benefit to the businesses as is required by law. But, for a community whose economy is driven largely by tourism, a multi-business district is a great solution.



[If you would like to learn more about expanding your district, please contact our office.](#)

Annual Responsibilities: Year End Follow Up!



It's time to start thinking about hitting the ground running in 2014. Whether you operate on a fiscal or calendar year, here are three things you can do now to help make sure 2014 is a great year!

1. Make sure you are complying with the Brown Act and Public Records Act.

Has your staff and board been trained recently on Brown Act compliance? If you have new board members, now is the time to be sure they know what they can and cannot do. Are your agendas created and posted in compliance with the Brown Act? Did you know Brown Act bodies cannot hold discussions by email? Or that agendas must be posted online? Does your staff know their responsibilities in the event of a Public Records Act request? If you answered no - or even are not sure - about any of these items, protect yourself and get trained!

2. Prepare for (or submit) your annual report.

Every district has to submit an annual report to its jurisdiction, city or county. Have you thought about what you'll put in that report? Are you prepared with statistics, photos, and next years' budget? Do you know the legal requirements for the report's content (and have you considered recent court decisions and changes in the law)? The annual report is your chance to show stakeholders just how valuable their investment in your district really is.

3. Think about renewal.

**Historic Folsom
Property and Business
Improvement District**

**Downtown Lancaster
Property and Business
Improvement District**

**Downtown Burbank
Property and Business
Improvement District**

**Mariposa County
Tourism Business
Improvement District**

**Where to Catch
Us Next...**

**Visit California
Outlook Forum**
Pasadena, CA
February 5-6, 2014
[More Information](#)

**CABBI InnSpire
Conference**
Seaside, CA
February 23-25, 2014
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**Public/Private Finance
and Development
Seminar**
Los Angeles, CA
March 21, 2014
[More Information](#)

**California Downtown
Association Annual
Conference**
San Diego, CA
May 21-22, 2014
[More Information](#)

**California Travel
Summit**
Los Angeles, CA
June 23-25, 2014
[More Information](#)

**Destination Marketing
Association
International**
Las Vegas, NV
July 21- 23, 2014
[More Information](#)

**International
Downtown Association
Conference**
Ottawa, ON, Canada
September 3-6, 2014
[More Information](#)

We would love to meet you at any of these conferences! Please [click here](#) to schedule a one-on-one meeting.

**Ideas for Next
Time?**

It may be next year, or it may be nine years from now - but you should always be thinking about your renewal. Take pictures, gather statistics, and most importantly - check in with your stakeholders. Are they satisfied with the services? Will they support your eventual renewal? And if your district expires in 2014 or 2015, think about starting your renewal now. New laws and legal challenges have made the renewal process more complex and time-consuming, plus starting early will help ensure you don't have a gap in funding.

[If you answered no to any of the questions above, or have a general question on your annual responsibilities, let us know!](#)

Civitas is Expanding!

**Join Our
TEAM**

As you may know, Civitas has been expanding over the past few years, having added new project managers in both our Sacramento and Los Angeles offices and several other staff in our home office. We are now looking to keep growing and have additional positions open.

Project Manager-Los Angeles & San Francisco

The position is a hybrid of sales and project management. If you do know anyone who might be a good fit, please feel free to send them our information. The job description and directions for applying are available on our website here: <http://www.civitasadvisors.com/projectmanagerjob.htm>

Legal Assistant-Sacramento

We are also looking for an Entry Level Legal Assistant in our Sacramento office. This is a great opportunity for a newly educated legal assistant/paralegal to get their feet wet. View more about the position here: <http://www.civitasadvisors.com/legalassistant.htm>

Marketing Intern-Sacramento

Additionally, we are seeking a Marketing Intern for our Sacramento office. This is a three month internship with potential to be extended. View more about the position here: <http://www.civitasadvisors.com/marketinginternjob.htm>


[If you'd like to learn more about the opportunity, please don't hesitate to email or give us a call at 916-437-4300.](#)

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Civitas is a proud supporter of the Child Abuse Prevention Center, donating \$100 for every district we form. [Click here](#) to learn more about CAPC's work in the prevention of child abuse.

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Civitas | 1102 Corporate Way | Suite 140 | Sacramento | CA | 95833



Holly Wolcott <holly.wolcott@lacity.org>

FW: Call to Action - AB 2618 - Letters needed

1 message

Kraig Kojian <KraigK@dlba.org>

Fri, Mar 7, 2014 at 3:32 PM

To: "Bahija Hamraz (bhamraz@improvedtsd.org)" <bhamraz@improvedtsd.org>, "Brad Segal (brad@pumaworldhq.com)" <brad@pumaworldhq.com>, "Carol Schatz (cschatz@ccla.org)" <cschatz@ccla.org>, "Eromo@playhousedistrict.org" <Eromo@playhousedistrict.org>, "Hal Bastian (hbastian@downtownla.com)" <hbastian@downtownla.com>, "Jessica Lall (jessica@southpark.la)" <jessica@southpark.la>, "John Caner (jcaner@downtownberkeley.com)" <jcaner@downtownberkeley.com>, "John Lambeth (jlambeth@civitasadvisors.com)" <jlambeth@civitasadvisors.com>, "Kate Borders (kborders@downtownfresno.org)" <kborders@downtownfresno.org>, "kathilyn@pacbell.net" <kathilyn@pacbell.net>, "Kathleen Rawson (Kathleen@downtownsm.com)" <Kathleen@downtownsm.com>, "Kerry Morrison (kerry@hollywoodbid.org)" <kerry@hollywoodbid.org>, Kraig Kojian <KraigK@dlba.org>, "Kris Michell (kmichell@downtownsandiego.org)" <kmichell@downtownsandiego.org>, "Larry Cope (larry.cope@tceda.net)" <larry.cope@tceda.net>, "Liz (EStudebaker@sandiego.gov)" <EStudebaker@sandiego.gov>, "Lorena Parker (lorena@studiocitybid.com)" <lorena@studiocitybid.com>, "Mary Hamzoian (MHamzoian@ci.burbank.ca.us)" <MHamzoian@ci.burbank.ca.us>, "Roland Peterson (roland@telegraphberkeley.org)" <roland@telegraphberkeley.org>, "Sarah MacPherson Besley (sarah@hollywoodbid.org)" <sarah@hollywoodbid.org>, Scott Knies <sknies@sjdowntown.com>, "Steve Gibson (urbanplaceconsult@aol.com)" <urbanplaceconsult@aol.com>, "Steve Mulheim (steve@oldpasadena.org)" <steve@oldpasadena.org>, "Chris Fisher (cfisher@willdan.com)" <cfisher@willdan.com>, "Don Steier (gslaw99@yahoo.com)" <gslaw99@yahoo.com>, "Donald R. Duckworth (duckworth.donald@gmail.com)" <duckworth.donald@gmail.com>, "Holly Wolcott (holly.wolcott@lacity.org)" <holly.wolcott@lacity.org>, "Jim McGuire (jmcguire@willdan.com)" <jmcguire@willdan.com>, "Kristin Lowell (kristin@klifinance.com)" <kristin@klifinance.com>, "Miranda Paster (miranda.paster@lacity.org)" <miranda.paster@lacity.org>, "Tom Webber (twebber@goldfarbblipman.com)" <twebber@goldfarbblipman.com>, "Blage Zelalich (bzelalich@sjdowntown.com)" <bzelalich@sjdowntown.com>, "Dennis Erokan (derokan@placemakinggroup.com)" <derokan@placemakinggroup.com>, "Estela Lopez (elopez@kindelgagan.com)" <elopez@kindelgagan.com>, "Kent Smith (kent@fashiondistrict.org)" <kent@fashiondistrict.org>, "Lauren Schlau (laurens@lsconsult.com)" <laurens@lsconsult.com>, "Michael Ault (mault@downtownsac.org)" <mault@downtownsac.org>, "Tammy Brownlow (president@gilroyedc.org)" <president@gilroyedc.org>, "Tiffany Bromfield (tiffany@bidcouncil.org)" <tiffany@bidcouncil.org>, Andrea <andrea@freespirtityoga.com>, Big Kitty <bigkitty@meowvintage.com>, Bill Townsend <btownsend@incocompany.com>, Blair Cohn <blair@bixbyknollsinfo.com>, Brent <brent@jbdco.com>, C Jacobs <cljacobs2002@yahoo.com>, Courtney Richards <Courtney_Richards@longbeach.gov>, "Dede Rossi (dede@belmontshore.org)" <dede@belmontshore.org>, Floyd Worsham <floydworsham@aol.com>, "James Fisk (james.fisk@longbeach.gov)" <james.fisk@longbeach.gov>, Jeff Forney <jefff@longbeachcvb.org>, Joy <joy5018@aol.com>, K Fisher <kfisher@pacificresearch.net>, Kerstin Kansteiner <kkansteiner@portfoliocoffeehouse.com>, Mary Coburn <MaryC@dlba.org>, Mick <mickfly@verizon.net>, R Wilson <rwilson@pacificresearch.net>, "Randy Gordon (rwgordon@lbchamber.com)" <rwgordon@lbchamber.com>, Richer San <richersan@yahoo.com>, Sasha Witte <sasha@sashawittedesign.com>, Spa Sidney <spasidney@aol.com>, Tan <abcndtan@aol.com>, Thor <thor@thorantiques.com>

Cc: "Gurbax Sahota (gsahota@caled.org)" <gsahota@caled.org>, David Downey <David.Downey@ida-downtown.org>

Hi all:

Please following email and attached docs re: Call To Action for AB 2618 from Kerry Morrison, ED for the Hollywood Property Owners Alliance... My apologies in advance if you have already received this email as some/most of you are included in others' distribution groups.

Also, I wanted to take this opportunity to introduce to this group and share this information with Gurbax Sahota, President/CEO of CALED and David Downey, President/CEO of the International Downtown Association (IDA), who I expect in the coming months will partner with the California Downtown Association (CDA) on a number of membership services and programs including expanding its communication reach and advancing its advocacy agenda...Once the messaging for AB 2618 is solidified, we will begin using the CDA website as a conduit for information and create a Facebook page to further enhance our reach. David has also agreed to help us in this endeavor with his resources at IDA.

Thanks again and talk soon.

Kraig Kojian | President and CEO

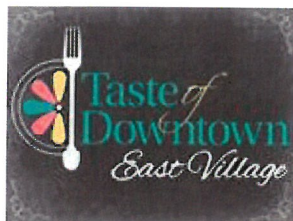
Downtown Long Beach Associates

☎:: 562.436.4259 | Fax:: 562.437.7850

✉:: 100 W. Broadway Ste. 120 Long Beach, CA 90802

📧:: kraigk@dlba.org | www.downtownlongbeach.org

www.DowntownLBBusiness.com



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From: Kerry Morrison [mailto:Kerry@hollywoodbid.org]

Sent: Friday, March 07, 2014 10:15 AM

To: Blage Zelalich; Kerry Morrison; Carol Schatz; 'kent@fashiondistrict.org'; Kraig Kojian; elopez@kindelgagan.com; Karin Flood; 'mault@downtownsan.org'; Jessica Lall; Steve Mulheim; Sarah Besley; blair@hdlabid.com; Susan Levi; jerry@powerinn.org; bhamraz@downtownsandiego.org; rloof@improvedtsd.org; sknies@sjdowntown.com; Kate Borders; RLoof@improvedtsd.org; JRiella@downtownsandiego.org; rbeard@centralcityeast.org; Julie Korinke; Jerry Vorpahl

Cc: Pilar Oñate Quintana (pilar@theonategroup.com); Q; Paul M. Rohrer; John Lambeth; Shawn Bratton; Jeff Chodorow

Subject: Call to Action - AB 2618 - Letters needed

Greetings CA BID Alliance:

We are entering a season of fast-moving events as we prepare for the first committee hearing for our bill, AB 2618 (Perez) in early April. Expect to hear from me every couple days to keep this "top of mind" with all of us, especially because it is critically important to generate an overwhelming show of statewide support for this bill.

1. Proposed legislation: Here is a link to the bill language.

http://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB2618

2. Fact sheet: I've attached the fact sheet describing AB 2618. This will be updated constantly to reflect support letters arriving at the Speaker's office (e.g., "watch for your name here").

3. Support letters: Please proceed as quickly as feasible to generate these letters. I have attached the generic template, and an example generated by the DCBID.

Cannot overemphasize how important these letters are. I know some BIDs may need to run the letter past their boards, and others may feel empowered to generate without board action. If you fall in the latter category, please generate this letter TODAY. For all others, we would like to see all letters in the hands of the Speaker no later than Friday, March 21, 2014.

And...please try to generate a minimum of five additional support letters above and beyond your board. Ideas would be:

- Your local chamber of commerce
- Key property owners who are opinion leaders and know the value of BIDs
- Members of city councils
- Law enforcement leaders
- Civic-minded community groups

You can encourage them to modify the template to reflect their unique perspective on BIDs and why they feel it is important to protect the future of PBIDs in this state.

The letters should be mailed to the Speaker's office with a copy emailed to

Pilar Oñate Quintana

pilar@theonategroup.com

The Oñate Group
1201 K Street, Suite 800
Sacramento, CA 95814

Office: 916-498-7736

The bill will be heard in the Assembly Local Government Committee in early April (around 4-9 or thereabouts). Shortly I will be coming back to you with the names and contact information for the members of that committee. Also, we will likely want to encourage in-person testimony in Sacramento, especially if we can identify BID leaders who fall within the districts of those legislators.

More details to follow. Today, the priority is LETTERS.

Best regards,

Kerry

Kerry Morrison, Exec. Director

Hollywood Property Owners Alliance

1680 Vine Street Suite 414

Hollywood, CA 90028

323-463-6767 office

323-833-1635 mobile

3 attachments



BID Legislation AB2618 Letter-DCBID -Support.pdf
91K



bid legislation - support letter template (3).docx
17K



AB 2618 fact sheet introduced version.pdf
122K



Holly Wolcott <holly.wolcott@lacity.org>

San Diego Convention Center Appellate Ruling

1 message

Civitas <jlambeth@civitasadvisors.com>

Reply-To: jlambeth@civitasadvisors.com

To: holly.wolcott@lacity.org

Mon, Aug 4, 2014 at 12:01 PM



San Diego Convention Center Appellate Ruling

The Court of Appeal, Fourth Appellate District issued a ruling on Friday, August 1, 2014 striking down the proposed San Diego Convention Center financing. Article XIII C, section 2, subdivision (d) of the California Constitution provides, "No local government may impose, extend, or increase any special tax unless and until that tax is submitted to the electorate and approved by a two-thirds vote." The City passed an ordinance that defined the electorate to consist solely of (1) the owners of real property in the City on which a hotel is located, and (2) the lessees of real property owned by a governmental entity on which a hotel is located. The court found that such landowners and lessees are not "qualified electors" and that the special tax must be voted on by the registered voters.

Although the decision is deeply troubling, **it is important to note that the ruling is not directly applicable to Tourism Improvement Districts.** The convention center district was a modified Mello Roos District, not a Tourism Improvement District. The proposed levy was a special tax, not a special benefit assessment. The court confined its legal opinion to Propositions 13 and 218. Their analysis did not include Proposition 26.

The case is of significant concern. We expect that the City will seek review by the California Supreme Court. We will work the industry across the state on supporting the efforts of the City's appeal.

Please **contact us** with any questions.

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Holly Wolcott <holly.wolcott@lacity.org>

Fwd: San Diego Convention Center Appellate Ruling

6 messages

Miranda Paster <miranda.paster@lacity.org>
To: "Wolcott, Holly" <holly.wolcott@lacity.org>
Cc: "Hinkson, Rosemary" <rosemary.hinkson@lacity.org>

Mon, Aug 4, 2014 at 1:14 PM

Hello.

I hope the Bringing Back Broadway Mellow Roos election will not be affected by this decision.

----- Forwarded message -----

From: **Civitas** <jlambeth@civitasadvisors.com>
Date: Mon, Aug 4, 2014 at 12:01 PM
Subject: San Diego Convention Center Appellate Ruling
To: miranda.paster@lacity.org

**San Diego Convention Center Appellate Ruling**

The Court of Appeal, Fourth Appellate District issued a ruling on Friday, August 1, 2014 striking down the proposed San Diego Convention Center financing. Article XIII C, section 2, subdivision (d) of the California Constitution provides, "No local government may impose, extend, or increase any special tax unless and until that tax is submitted to the electorate and approved by a two-thirds vote." The City passed an ordinance that defined the electorate to consist solely of (1) the owners of real property in the City on which a hotel is located, and (2) the lessees of real property owned by a governmental entity on which a hotel is located. The court found that such landowners and lessees are not "qualified electors" and that the special tax must be voted on by the registered voters.

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Please **contact us** with any questions.

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Counting my blessings - Sing and be Happy Today!

http://clerk.lacity.org/stellent/groups/departments/@clerk_master_contributor/documents/contributor_web_content/lacitp_026712.png

Holly Wolcott <holly.wolcott@lacity.org>

Mon, Aug 4, 2014 at 1:18 PM

To: Marilyn Garcia <marilyn.garcia@lacity.org>, Noreen Vincent <noreen.vincent@lacity.org>, Christy Numano-Hiura <christy.numano-hiura@lacity.org>

Cc: Harit Trivedi <harit.trivedi@lacity.org>

[Does the City Clerk need to do anything different?](#)

Thanks,

Holly

[Quoted text hidden]

--

Holly L. Wolcott
Interim City Clerk
City of Los Angeles
213-978-1023



Marilyn Garcia <marilyn.garcia@lacity.org>

Mon, Aug 4, 2014 at 1:38 PM

To: Holly Wolcott <holly.wolcott@lacity.org>

Cc: Noreen Vincent <noreen.vincent@lacity.org>, Christy Numano-Hiura <christy.numano-hiura@lacity.org>, Harit Trivedi <harit.trivedi@lacity.org>

Hi Holly - You are on the job!! I became aware of this decision this morning. As to the immediate question about the Streetcar Mello-Roos, the City conducted an actual election involving the several thousand electors/residents. Since this new decision deals with not conducting an election where residents/electors should have voted, we are fine with respect to the Streetcar Mello-Roos formation. More generally, we should also be fine for our other Mello-Roos deals because the City follows the State statute, i.e., the Mello-Roos law. The City of San Diego deviated from the State law by adopting an ordinance that created clear differences from the State statute, as well as violating its own Charter. Also, we are at the end of a refunding of the bonds for the Playa Vista Mello-Roos formed about 10 years ago. A refunding does not involve any changes to the MR District, only issuing new bonds to pay off the old bonds. The statute of limitations has long since past on challenging formation of Playa Vista, so we are safe there also. We might have to do some additional analysis and disclosure for any new MR Districts. Marilyn

[Quoted text hidden]

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Christy Numano-Hiura <christy.numano-hiura@lacity.org>

Mon, Aug 4, 2014 at 3:04 PM

To: Marilyn Garcia <marilyn.garcia@lacity.org>

Cc: Holly Wolcott <holly.wolcott@lacity.org>, Noreen Vincent <noreen.vincent@lacity.org>, Harit Trivedi <harit.trivedi@lacity.org>

Holly, this case does not affect assessments. Thanks,
Christy

[Quoted text hidden]

Marilyn Garcia <marilyn.garcia@lacity.org>

Tue, Aug 5, 2014 at 9:16 AM

To: Christy Numano-Hiura <christy.numano-hiura@lacity.org>

Cc: Holly Wolcott <holly.wolcott@lacity.org>, Noreen Vincent <noreen.vincent@lacity.org>, Harit Trivedi <harit.trivedi@lacity.org>

Holly - I've thought more about this in terms of the formation of any new Mello-Roos Districts by the City. What the decision puts in jeopardy is the constitutionality of MR Districts that are formed where there are ANY registered voters in the District area. Right now, the State's MR law permits Districts to be formed by landowner vote if there are less than 12 registered voters. Usually when the City forms a MR District, the area has no registered voters; these still should be OK. From the City Clerk's perspective, none of our procedures should change. We would only begin formation of a new MR District if the lawyers were confident that the new decision did not put the formation in legal jeopardy. Marilyn

[Quoted text hidden]

Holly Wolcott <holly.wolcott@lacity.org>

Tue, Aug 5, 2014 at 12:54 PM

To: Marilyn Garcia <marilyn.garcia@lacity.org>

Cc: Christy Numano-Hiura <christy.numano-hiura@lacity.org>, Noreen Vincent <noreen.vincent@lacity.org>, Harit Trivedi <harit.trivedi@lacity.org>

Thanks Marilyn. Thanks Christy.

[Quoted text hidden]



Holly Wolcott <holly.wolcott@lacity.org>

Webinar: The National Landscape of Tourism Improvement Districts

1 message

Civitas <jlambeth@civitasadvisors.com>
Reply-To: jlambeth@civitasadvisors.com
To: holly.wolcott@lacity.org

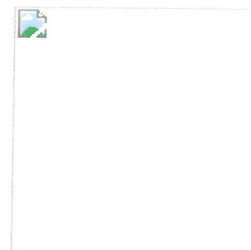
Thu, Nov 13, 2014 at 1:58 PM

**Civitas Connections****Webinar: The National Landscape of Tourism Improvement Districts****Hosted by:****Michael Gehrisch, President and CEO, DMAI****John Lambeth, President and CEO, Civitas****Carl Ribaud, President, Strategic Marketing Group****Join us for a free webinar on November 19, 2014 at 11:00 AM PST/2:00 PM EST.****[Register Today!](#)**

Presented by John Lambeth, Carl Ribaud, and Michael Gehrisch, this webinar will showcase the results of the first ever national Tourism Improvement District (TID) survey. This groundbreaking survey, with almost 100 respondents nationwide focuses on the TID formation process, challenges districts face, and most importantly the different metrics used to measure success and the best practices in communicating that success to stakeholders. Participants will learn why TIDs are the fastest growing funding mechanism for DMOs and how your destination can avoid leaving money on the table.

Registered attendees will be sent the full TID survey report following completion of the webinar.

Civitas, a proud supporter of the Child Abuse Prevention Center, makes a donation for every district we form. [Click here](#) to learn more about CAPC's work in the prevention of child abuse.

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City of Los Angeles Mail - Webinar: The National Landscape of Tourism Improvement Districts

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Holly Wolcott <holly.wolcott@lacity.org>

Byron Best placed at Downtown Walnut Creek Association

1 message

Civitas <jlambeth@civitasadvisors.com>

Reply-To: jlambeth@civitasadvisors.com

To: holly.wolcott@lacity.org

Thu, Jan 22, 2015 at 12:41 PM



Civitas is pleased to announce the
following placement

Byron Best
Executive Director, Walnut Creek Downtown

**ABOUT BYRON**

A senior level marketer and travel industry veteran, Byron Best joins The Walnut Creek Downtown Association from the Atlanta-based Collinson Media & Events. Best will lead the 550-member business association by preserving and building upon a vibrant successful downtown, implementing and overseeing marketing programs to increase visitors and spending in the downtown, identifying new marketing and event opportunities and will serve as WCDA's chief spokesperson. Best's career includes branding and marketing assignments with several national companies including Viacom, Reebok and Nike. A native of Washington D.C., he studied Communications at the University of New Hampshire.

The placement was completed by:

Civitas Advisors

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Sacramento, CA

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Chuck Longanecker
Business Development Systems
Sacramento, CA
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walnutcreekdowntown.com

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Holly Wolcott <holly.wolcott@lacity.org>

Civitas Connections Spring 2015 Newsletter

1 message

John Lambeth <jlambeth@civitasadvisors.com>

Reply-To: us10-e8d3e1b4fc-463911a8fd@conversation01.mailchimpapp.com

To: Holly <holly.wolcott@lacity.org>

Fri, Apr 10, 2015 at 9:19 AM



Civitas Connections

Spring 2015



In this Issue:

[District Spring Cleaning](#)

[Civitas & BDS Hiring Services](#)

[Spotlight on: Travel Portland](#)

[Statement of Information Filing](#)

[Which "C" is right for me?](#)



Facebook

District Spring Cleaning

Spring is in full swing! We know you had a great start to the year and are looking forward to continuing the momentum.



Twitter



Website



Email



YouTube



LinkedIn



Recent District Formations and Renewals

Napa Valley Tourism
Improvement District

Claremont Tourism Business
Improvement District

River District Property &
Business Improvement
District

Sunrise MarketPlace Property
& Business Improvement
District

Downtown Roseville Property
& Business Improvement

Whether you operate on a fiscal or calendar year, here are three things you can do now to ensure 2015 continues to be great year!

1. Make sure you are complying with the Brown Act and Public Records Act. Has your staff and board been trained recently on Brown Act compliance? If you have new board members, now is the time to be sure they know what they can and cannot do. Are your agendas created and posted in compliance with the Brown Act? Did you know Brown Act bodies cannot hold discussions by email? Or that agendas must be posted online? Does your staff know their responsibilities in the event of a Public Records Act request? If you answered no - or even are not sure - about any of these items, protect yourself and get trained!

2. Prepare for (or submit) your annual report. Every district has to submit an annual report to its jurisdiction, city or county. Have you thought about what you'll put in that report? Are you prepared with statistics, photos, and next years' budget? Do you know the legal requirements for the report's content (and have you considered recent court decisions and changes in the law)? The annual report is your chance to show stakeholders just how valuable their investment in your district really is.

3. Think about renewal. It may be next year, or it may be nine years from now - but you should always be thinking about your renewal. Take pictures, gather statistics, and most importantly - check in with your stakeholders. Are they satisfied with the services? Will they support your eventual renewal? And if your district expires in 2016 or 2017, think about starting your renewal now. New laws and legal challenges have made the renewal process more complex and time-consuming, plus starting early will help ensure you don't have a gap in funding.

If you answered no to any of the questions above, or have a general question on your annual responsibilities, [click here and let us know!](#)

District

Shadelands Property &
Business Improvement
District

Huntington Beach Tourism
Business Improvement
District

Sonoma Tourism
Improvement District

Stockton Tourism Business
Improvement District

Bishop Tourism Improvement
District

Camarillo Tourism Marketing
District

Fresno/Clovis Tourism
Business Improvement
District

Santa Barbara South Coast
Tourism Business
Improvement District

Santa Ynez Valley Tourism
Business Improvement
District



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Prior assistance with placements include:



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us next..**

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Forum**

June 17 - 19, 2015
Monterey, CA

[Register here for the
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TBID Forum hosted by
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Barbra Newton
President and CEO
California Travel Association



Byron Best
Executive Director
Downtown Walnut Creek Association

**Destination
Marketing
Association
International Annual
Convention**

July 14 - 17, 2015

Austin, TX

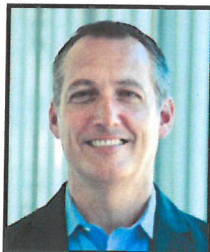
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U.S. Travel's ESTO

August 23 - 25, 2015

Portland, OR

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Richard Peterson

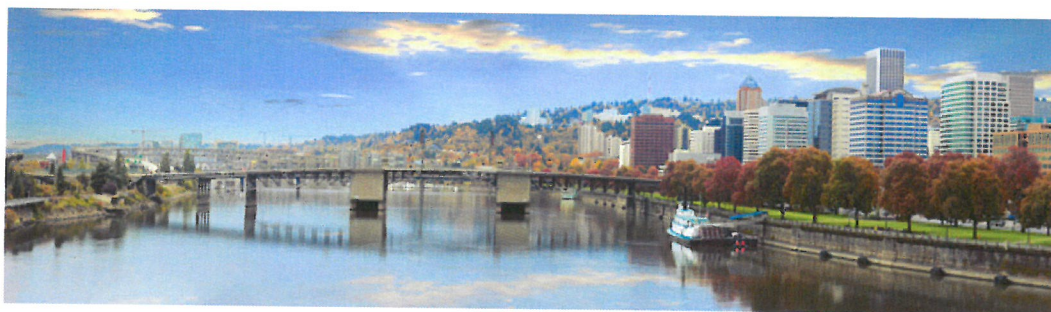
Executive Vice President

Santa Monica Convention and Visitors

Bureau

Click here to contact Civitas for more information and a complete list of services.

If you would like to schedule an appointment with us at any of the above events please contact us here.



Spotlight on: Travel Portland

The Problem

Portland's tourism agency, Travel Portland, had a small marketing budget compared to West Coast cities of a similar size. Its primary competitors, San Francisco, Los Angeles, and Seattle, had realized successful growth in tourism funding and overall visibility for their destinations with funding from a TID. Portland needed a larger budget for marketing to stay competitive in the tourism industry. With the guidance of Civitas, Travel Portland collaborated with the hotel community to create a new funding stream to enhance promotion of the Portland Region as a preferred destination for meetings, conventions, and leisure travel.

The Innovation

Oregon State law had existing potential for assessment districts, however stakeholders chose to use the City's Home Rule authority to draft an ordinance specific to Portland's needs. To move forward, Portland used its Home Rule charter authority to adopt an ordinance. The ordinance created the Portland Tourism Improvement District (PTID) in 2012. The PTID imposes an assessment of two percent (2%) per night on guest room revenues for all hotels with more than fifty rooms located within the City of Portland.

In this case the ordinance adoption process was completed in four steps:

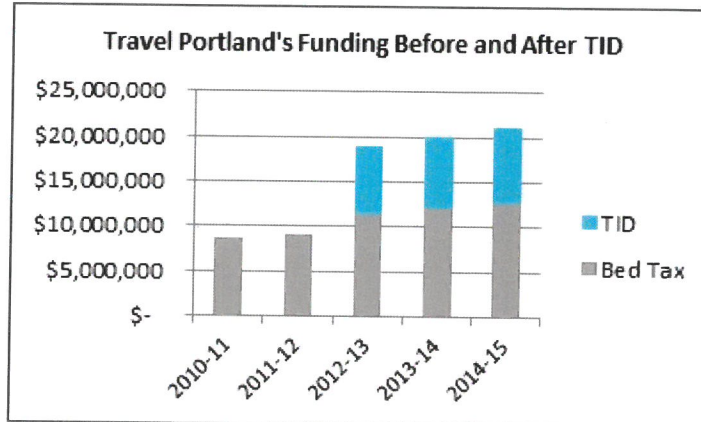
- Travel Portland and Civitas conducted a series of meetings with hoteliers to determine the district's parameters and assessment rate;
- The agreed upon parameters and assessment rate were incorporated in the draft ordinance;
- Civitas worked with the Portland City Attorney and made necessary amendments; and

- The final draft ordinance was adopted by the Portland City Council in a two-hearing process.

With the PTID assessment, Portland's per-night hotel assessment of 14.5% is still 0.5% lower than the average for the West Coast and like-sized U.S. cities. The PTID funds are managed by the Travel Portland Board of Directors instead of the City of Portland, allowing those paying the assessment to oversee the implementation of programs.

The Results

The PTID raises approximately \$8,000,000 per year. After the formation of the PTID, Travel Portland's annual budget more than doubled from \$9,100,000 in 2012 to \$21,100,000 in 2015. The expanded budget has been vital to increasing room night stays and keeping Portland competitive in the tourism industry.



Your destination can be our next success story. Contact us to learn how.

Statement of Information Filing

California corporations, including those managing BID funds, are required to file a bi-annual Statement of Information with the Secretary of State. Although this paperwork is routine and seems innocuous, failure to file can have serious consequences.

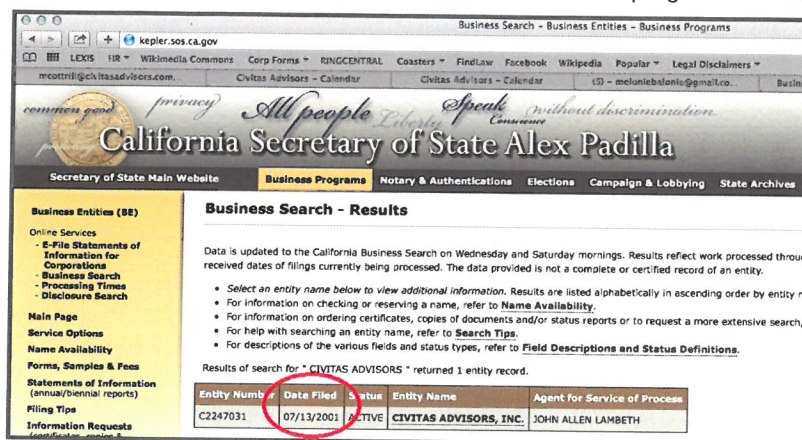
What to File

The Statement of Information is a short, one-page form. Its purpose is to provide contact information for the corporation and those associated with it: the President or Chair, Secretary, and Treasurer. It also lists the official agent for service of process – meaning the person to whom paperwork is handed if the corporation is subpoenaed or sued.

When to File

For nonprofits, a statement of information is required to be filed every other year, regardless of whether there have been any changes in information. The filing period is a 90-day window that begins on the anniversary of the day the corporation was created. A corporation formed on January 1, for instance, would have until March 31 to file its statement – while a corporation formed on February 15 would have until May 16.

Not sure when your corporation was created? Visit this website (<http://kepler.sos.ca.gov>) check the "corporation name" bubble and enter the corporation name to find out. The creation date will be listed under the column heading "date filed".



In addition to the regular bi-annual filing, corporations should also file updates when any of the information changes. Updates can be filed at any time, and there is no filing fee.

Where to File

There are two ways to file your Statement – by submitting a paper form, or by online filing.

Online

Online filing is the fastest way to submit your Statement. The processing time for online filings is 2-3 days. You will need a Visa or Mastercard to pay the filing fee. The filing can be done on the Secretary of State's website here: <https://businessfilings.sos.ca.gov>

Paper

The paper version of the statement can be filed by mail or in person. The processing time for paper version can be up to 90 or more days. It is available for download from the Secretary of State here: http://bpd.cdn.sos.ca.gov/corp/pdf/so/corp_so100.pdf

Why to File

Although the Statement is a simple document, the consequences of failing to file it can be severe. A statement that is not filed on time can be subject to a \$50 penalty from the Secretary of State. But, it's not the Secretary of State you should be worried about.

The Franchise Tax Board can suspend your corporation if your Statement is not timely filed. According to the FTB, "suspension or forfeiture affects a business in many ways. The business loses its rights, powers, and privileges to conduct business in California and will be unable to:

- Bring an action or defend itself in court.
- Receive an automatic extension of time to file their California income tax return.
- File a claim for refund.
- File or maintain an appeal with the Franchise Tax Board and Board of Equalization.
- Begin or continue a protest.

In short, failure to file a timely Statement of Information can preclude your company from doing any business in the State of California.

How to File – Scam Alert!

Be careful to file your Statement of Information directly with the Secretary of State. The current filing fee is \$20. Because your corporation information is public record, there are many scam artist companies who will offer to help you file your Statement, for grossly inflated fees. Beware of anything with a filing fee greater than \$20 – it's probably a scam! Fees charged by scam artists can range from under \$50 to several hundred dollars. Click here for a sample of one of these scams.

Need Assistance? Click here to contact us.

Which C is Right for Me?

One question we are often asked here at Civitas is, "Can our corporation be a (c)(3)?" It's not a surprising question, given that a (c)(3) corporation is the only type of nonprofit to which benefactors can make tax-free donations. That makes it both the most desirable – and the most difficult – status to obtain. And in recent years as scandal after scandal has unfolded, the IRS has grown increasingly uncharitable in granting (c)(3) status.



While we in the BID world are accustomed to working with the government, nothing compares to seeking exempt status from the IRS. The IRS has designated 29 different types of (c)-something corporations, but there are only two that usually apply to BIDs. Those two are (c)(4) organizations, also known as "social welfare organizations" and (c)(6) organizations, or "business leagues."

The (c)(4) designation is usually the most appropriate for a traditional BID. A (c)(4) is a "civic league...operated exclusively for the promotion of social welfare." Most BID activities, especially clean and safe programs, fall into the

IRS' definition of social welfare activities.

Some BIDs can also fall into the (c)(6) designation, which applies to "business leagues, chambers of commerce...boards of trade" and other similar organizations. This designation works well for tourism districts and BIDs focused on marketing and promotions.

While most BIDs fit well into either (c)(4) or (c)(6) designations, neither offers the tax-free donation benefits of a (c)(3). And, many BIDs also desire a (c)(3) as some grants require that status. The test for obtaining exempt status, however, is the corporation's activities – its functions must fit into stringent standards. To qualify for (c)(3) status, a corporation must be "organized and operated exclusively for purposes that are charitable, religious, scientific, testing for public safety, literary, educational, fostering amateur sports competition, or preventing cruelty to children or animals."

While these standards seem broad on the surface, the IRS has developed particular requirements for each of these purposes, especially "charitable." To further compound the issue for BIDs, the IRS in 1975 ruled that "a nonprofit organization with membership limited to the residents and business operators within a city block and formed to preserve and beautify the public areas in the block, thereby benefitting the community as a whole as well as enhancing the members' property rights, will not qualify for exemption under section 501(c)(3) of Code but may qualify under Section 501(c)(4)." Although BIDs usually cover more than one block, the IRS has used this ruling to deny 501(c)(3) status when considering applications from BID corporations.

What's a BID to do when your activities don't meet the (c)(3) test, but you still need grants? The best solution we've found is to form an affiliated (c)(3) organization. That organization can be structured to meet the organization and operational tests under section (c)(3), and can seek grants. This structure has been implemented successfully in many cities, and continues to be a popular choice for BIDs.

To learn more about which "C" is right for you, or to discuss the possibility of creating an affiliated foundation, [click here to contact us](#).



Civitas is a proud supporter of the Child Abuse Prevention Center, donating \$100 for every district we form. [Click here](#) to learn more about CAPC's work in the prevention of child abuse.

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